

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DERRICK M. LLOYD,  
a.k.a., Rashad Abdul Hamid,

Plaintiff,

V.

CIVIL ACTION NO. 2:08-CV-419-MEF  
[WO]

DAVID T. MARSHALL, et al.,

Defendants.

## ORDER

In his complaint, the plaintiff names David Henderson as a defendant. Service was attempted but unperfected on this individual because he was not at the address provided by the plaintiff. If a person has not been served, he is not a party to this lawsuit except in very unusual circumstances. Consequently, in order to maintain litigation against David Henderson, the plaintiff must furnish the clerk's office with his correct address. Accordingly, it is

ORDERED that on or before July 8, 2008 the plaintiff shall furnish the clerk's office with the correct address of David Henderson. **The plaintiff is advised that the court will not continue to monitor this case to ensure that the defendants he wishes to sue have been served.** This is the plaintiff's responsibility. Moreover, the plaintiff is specifically cautioned that if service is not perfected on David Henderson he will not be considered a party to this cause of action, the court will on its own initiative dismiss the claims against

David Henderson and this case will proceed against only the defendants on whom service has been perfected. *See* Rule 4(m), *Federal Rules of Civil Procedure*.

Done this 20<sup>th</sup> day of June, 2008.

/s/ Wallace Capel, Jr.

WALLACE CAPEL, JR.

UNITED STATES MAGISTRATE JUDGE